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### **Remarks**

This paper is submitted in reply to the Final Office Action dated April 19, 2004 within the three-month period for response. That Office Action objected to the specification, specifically to the rewritten paragraph beginning on page 21, line 19. Claims 1-3, 5, 7-9, 16, 21, 23-24, 26, 28-30, 38, 41-43 and 48-49 were rejected under 35 U.S.C. § 102(b) as being anticipated by the article describing the Rocky Mountain Monument & Vault's monument design software described in the article, "Funeral Home Online-Funeral Home Goes High Tech" from the *Utah Prime Times* July 2000 issue, found at <http://www.funeralplan.com/products/fa.html> and at [http://www.auroracasket.com/WEB/news\\_faqs/press\\_releases/newsoftware.html](http://www.auroracasket.com/WEB/news_faqs/press_releases/newsoftware.html). Claims 1-21, 23-44, 48-49, and 52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/00464046 and the *Utah Prime Times* article.

Applicants respectfully traverse the rejections of the Office Action to the extent that they are maintained. Applicants have nonetheless amended claims 1, 4, 22, 23, 47, 48, and 50 in deference to the Examiner. Claims 45, 46 and 52 have been canceled to further the remaining claims unto issuance.

Applicants wish to thank the Examiner for the courtesy extended in the personal interview between the Examiner and Applicants' representative on June 17, 2004. In the interview, proposed amendments to the claims to address the art-based rejections

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were discussed. Based upon the proposed amendments, the Examiner indicated that the proposed amendments overcame the art of record.

To this end, each remaining independent claim has been amended to recite an image of an item capable of being permanently attached to a funeral item. As discussed during the interview, none of the prior art teaches, suggests or motivates such a feature. For instance, the heavy rubber resist material disclosed in the *Utah Prime Times* article is removed after sandblasting and does not permanently attach to the headstone.

Applicants respectfully request that the Examiner enter these amendments on the record pursuant to 37 C.F.R. 1.116(a), as the amendments do not raise any new issues, are fully supported in the specification, drawings and claims as originally filed, and merely place the case in condition for allowance and/or appeal. Applicants respectfully submit that claims 1-44 and 47-51 are now in condition for allowance. Reconsideration and allowance these claims are therefore respectfully requested.

If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner is encouraged to contact the

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undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

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